

CURRICULUM VITAE

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PROFESSIONAL BACKGROUND

Ann R. and Andrew H. Tisch Distinguished Visiting Fellow, Governance Studies, Center for Technology Innovation, The Brookings Institution, Washington, DC. December 2013 to present. Research, public speaking, and programs on public policy issues affecting technology, and leading project focused on national debate on federal privacy legislation.

Visiting Scholar, The MIT Media Lab, Massachusetts Institute of Technology, Cambridge, Massachusetts. December 2013 to present. Research and teaching relating to data analytics, privacy, and public policy.

Senior Counsel, Sidley Austin LLP, Boston MA and Washington, DC. September 2014 to February 2019. Practice in law and technology, including global privacy, data security, and information law and complex matters involving international trade, intellectual property policy, litigation, government affairs, and communications.

Acting Secretary, United States Department of Commerce, Washington, DC. June 2013. Member of President's Cabinet and chief executive officer for cabinet department encompassing United Patent & Trademark Office, International Trade Administration, National Telecommunications & Information Administration, National Oceanographic Administration, Census Bureau, and others.

General Counsel, United States Department of Commerce, Washington, DC. May 2009 to September 2013. Chief legal adviser to Secretary of Commerce and chief legal officer for cabinet department and component agencies. Co-Coordinator, National Science & Technology Council Internet Policy Committee and Co-Chair, Subcommittee on Consumer Privacy. Agency representative on

cybersecurity and trade issues in National Security Council Deputies Committee and on certain matters in Deputies Committee of Committee on Foreign Investment in the United States.

Member, Mintz Levin Cohn Ferris Glovsky & Popeo, P.C., Boston, Massachusetts. 1983 to 2009. Practice before state and federal courts, administrative agencies, and municipal boards in litigation and regulatory law, with emphasis on communications, environmental, and toxic tort law. Associate from 1983. Member from April 1987.

Adjunct Professor, Suffolk University Law School, Boston, Massachusetts. 1997 to 2002, part-time. Professor in telecommunications law, covering regulation, the 1996 Telecommunications Act, and First Amendment issues in broadcasting, cable television, and telephony.

Associate, Wilmer, Cutler & Pickering, Washington, DC. October 1979 to November 1982. Trial, agency, and appellate litigation of antitrust, communications, and First Amendment matters; antitrust counseling; practice before the Federal Communications Commission. (On leave of absence to manage a political campaign from January to November 1982)

Law Clerk to Senior Judge Elbert P. Tuttle, U.S. Court of Appeals for the Fifth Circuit, Atlanta, Georgia. August 1978 to August 1979. Drafted and edited opinions and wrote bench memoranda for cases in Fifth and Ninth Circuits and for Special Master's Report in *Arizona v. California* (Supreme Court, Orig. No. 8).

Member of Board of Directors, International Data Accountability Council, Inc. (April 2020-present); Microsoft Advisory Committee on Policy & Politics (January 2015-present); Center for Democracy & Technology Advisory Council (October 2017-October 2019); Program Committee, International Conference of Data Protection and Privacy Commissioners, Hong Kong (2017); U.S. Department of State Advisory Committee on International Communications & Information Policy (March 2014-present); World Economic Forum Global Agenda Council on Data-Driven Development (May 2015-January 2017); Advisory Board, Future of Privacy Forum (August 2014-present); Advisory Board, Massachusetts Innovation Partnership Network (January 2014-September 2015); Council on Foreign Relations (2012-present); Administrative Conference of the United States (2010-2013); Boston Bar Association (Steering Committee of Civil Rights/Civil Liberties Committee, 2006-09); Massachusetts Bar Association; Federal Communications Bar Association (Steering Committee, New England Chapter 2006-09; Co-Chair, New England Chapter 2001-2003), and American Bar Association (Litigation, Communications Law, Administrative Law, Antitrust, and Tort & Insurance Practice sections)(1983-2010); Defense Research Institute (Co-Chair, Publications Subcommittee of

Committee on Toxic Tort and Environmental Litigation, 1999-2000); International Bar Association (1999-2003).

Admitted to practice: Massachusetts (1978); District of Columbia (1979); United States District Court for the District of Columbia (1980); United States Court of Appeals for the D. C. Circuit (1980); United States District Court for the District of Massachusetts (1983); United States Court of Appeals for the Second Circuit (1983); United States Court of Appeals for the Sixth Circuit (1996); United States Supreme Court (1998); United States Court of Appeals for the First Circuit (2000); New York (2009).

EDUCATIONAL BACKGROUND

Boston College Law School, 1975-78, J.D., *magna cum laude*. Executive Editor, Boston College Law Review, 1977-78. Best Speaker, Best Brief and Finals Winner, Grimes Moot Court Competition (1977). Order of the Coif.

Harvard College 1968-72, B.A., *cum laude in General Studies (concentration in American History)*. Member, Student Advisory Board, John F. Kennedy Institute of Politics, 1971-72. President, Harvard-Radcliffe Young Democrats, 1970-71. Skiing Team, 1968-69.

PUBLICATIONS

Section 230 reform deserves careful and focused consideration, Brookings *TechTank* (May 14, 2021).

The Census Bureau must be allowed to finish its job, *The Boston Globe* (March 1, 2021).

Strengthening international cooperation on artificial intelligence (with Joshua P. Meltzer), The Brookings Institution (February 17, 2021).

To fix social media now focus on privacy, not platforms, *The Hill* (January 26, 2021).

The oracle at Luxembourg: The EU Court of Justice judges the world on surveillance and privacy, The Brookings Institution (January 11, 2021).

Framing a privacy right: Legislative findings for federal privacy legislation (with John B. Morris, Jr.), The Brookings Institution (December 8, 2020).

By passing Proposition 24, California voters up the ante on federal privacy law (with Caitlin Chin), Brookings *TechTank* (November 17, 2020).

How the 2020 elections will shape the federal privacy debate (with Caitlin Chin), Brookings *TechTank* (October 26, 2020).

Federal privacy legislation should protect civil rights, Brookings *TechTank* and *Lawfare* (July 16, 2020).

In privacy legislation, a private right of action is not an all-or-nothing proposition (with John B. Morris, Jr.), Brookings *TechTank* and *Lawfare* (July 7, 2020).

Preemption: A balanced national approach to protecting all Americans' privacy (with John B. Morris, Jr.), Brookings *TechTank* and *Lawfare* (June 29, 2020).

The importance and opportunities of transatlantic cooperation on AI (with Joshua P. Meltzer and Alex Engler), The Brookings Institution (June 17, 2020).

Private lawsuits are a necessary expedient in privacy legislation, *The Hill* (June 11, 2020).

Bridging the gaps: A path forward to federal privacy legislation (with John B. Morris, Jr., Caitlin Chin, and Nicol Turner Lee), Center for Technology Innovation at Brookings (June 3, 2020).

Keeping the fires burning for federal privacy legislation, IAPP Privacy Perspectives (June 3, 2020).

The U.S. and EU should base AI regulations on shared democratic values (with Joshua P. Meltzer and Alex Engler), Brookings *TechTank* (March 2, 2020).

Protecting privacy in an AI-driven world, Center for Technology Innovation at Brookings (February 10, 2020).

Hitting refresh on privacy policies: Recommendations for notice and transparency (with Caitlin Chin), Brookings *TechTank* (January 6, 2020).

Game on: What to make of Senate privacy bills and hearing, Brookings *TechTank* (December 3, 2019).

Senate Democratic privacy principles: Endgame or game over for a bipartisan bill? Brookings *TechTank* (November 22, 2019).

Should consumers be able to sell their own personal data? *Wall Street Journal* (October 13, 2019).

Cybersecurity and digital trade: Getting it right (with Joshua P. Meltzer), Brookings Global Economy and Economic Development Program Report (September 18, 2019).

Why data ownership is the wrong approach to protecting privacy (with John B. Morris), Brookings *TechTank* and *Lawfare* (June 26, 2019).

Rulemaking and its discontents: moving from principle to practice in privacy legislation (with Daniel J. Weitzner), Brookings *TechTank* and *Lawfare* (June 5, 2019).

A federal privacy law could do better than California's, *Los Angeles Times* (April 25, 2019).

Proposed language for data collection in privacy legislation, *Lawfare* and Brookings *TechTank* (April 16, 2019).

Breaking down proposals for privacy legislation: how do they regulate? Center for Technology Innovation at Brookings (March 8, 2019).

Will this new Congress be the one to pass data privacy legislation? Brookings *TechTank* (January 8, 2019).

Debate Continues on the Future of U.S. Privacy from California to Capitol Hill, (co-author) *datamatters.sidley.com* (December 27, 2018).

Can China have difficult conversations about the Internet? Brookings *TechTank* (December 6, 2018).

EDPB Issues Long-awaited Guidance on Territorial Scope of GDPR, (co-author) *datamatters.sidley.com* (November 30, 2018).

It's time for the Senate to act on PCLOB nominations, *Lawfare* and Brookings *TechTank* (August 27, 2018).

Filling the gaps in US data privacy laws, *Lawfare* and Brookings *TechTank* (July 12, 2018).

Why protecting privacy is a losing game today – and how to change the game, Center for Technology Innovation at Brookings (July 12, 2018).

California Enacts Broad Privacy Laws Modeled on GDPR (co-author), *datamatters.sidley.com* (June 29, 2018).

European Lawmakers Call on the EU to Suspend the EU-U.S. 'Data Transfer' Privacy Shield (co-author), *datamatters.sidley.com* (June 14, 2018).

11th Circuit Vacates LabMD Enforcement Order; Casts Doubt on Decades of FTC Cybersecurity Enforcement Practices (co-author), *datamatters.sidley.com* (June 12, 2018).

State Activity on Privacy: Vermont Is First to Regulate Data Brokers (co-author), *datamatters.sidley.com* (June 11, 2018).

Amid Growing Threats, White House Dismantles Top Cybersecurity Post (co-author), *datamatters.sidley.com* (May 29, 2018).

White House nominations to privacy board offer a pleasant surprise, Brookings *TechTank* (March 16, 2018).

Singapore Joins APEC Cross-Border Privacy Rules System and Privacy Recognition for Processor Program (co-author), *datamatters.sidley* (March 15, 2018).

Potential Congressional Action on Cross Data? A Primer in the CLOUD Act (co-author), *datamatters.sidley* (March 13, 2018).

Congressional Movement on Cybersecurity in a Bill to Reauthorize the Homeland Security Act of 2002 (co-author), *datamatters.sidley* (March 7, 2018).

A week that raised the profile of U.S. cybersecurity concerns, Brookings *TechTank* (February 23, 2018).

Movement on Section 702 of the Foreign Intelligence Surveillance Act (FISA) (co-author), *datamatters.sidley* (January 22, 2018).

Privacy and Security Top 10 for 2018 (co-author), *datamatters.sidley* (January 2, 2018).

Cyber Diplomacy Act gives cyber the importance it needs at the State Department, Brookings *TechTank* (December 4, 2017).

The Equifax data breach is the national wake-up moment we expected, Brookings *TechTank* (October 18, 2017).

Gauging Investment in Self-Driving Cars (with Jack Karsten), Center for Technology Innovation at Brookings (September 16, 2017).

Trump administration overlooks critical digital policy posts, Brookings *TechTank* (August 25, 2017).

CJEU Rules on EU-Canadian Passenger Name Record Agreement; Data Retention Possible; Detailed Court Scrutiny to Ensure Proportionality (co-author), *datamatters.sidley* (August 1, 2017).

The Department of State needs a cyber coordinator now more than ever, Brookings *TechTank* (July 28, 2017).

Could consumer internet privacy legislation show potent populist appeal? (with Stuart N. Brotman), Brookings *TechTank* (July 13, 2017).

Trump puts U.S.-EU Privacy Shield at risk, *Lawfare* and Brookings *TechTank* (June 14, 2017).

President Trump Signs Executive Order on Cybersecurity at Federal Agencies (co-author), *datamatters.sidley* (May 15, 2017).

Transatlantic Cybersecurity: Forging a United Response to Universal Threats, on behalf of the United States Chamber of Commerce (May 2, 2017).

The Continuing Impact of the Judgment of the Court of Justice of the European Union Declaring Invalid the European Commission's on Safe Harbor (with William R.M. Long), *Bloomberg Law Privacy and Security Law Report* (March 2, 2017).

Singapore Joins APEC Cross-Border Privacy Rules System and Privacy Recognition Transatlantic Data Flow – the New Swiss-U.S. Privacy Shield available April 12, 2017 (co-author), *datamatters.sidley* (Feb. 21, 2017).

2016 Year in Review and 2017 Preview: Top Ten for Data Protection and Privacy (co-author), *datamatters.sidley* (January 31, 2017).

Trump's immigration order deprives U.S. of exports and technology talent, *Brookings TechTank* (January 30, 2017).

The Economic Case for Preserving PPD-28 and Privacy Shield, *Lawfare* (January 17, 2017).

NIST Issues Draft Revision to Cybersecurity Framework (co-author), *datamatters.sidley* (January 13, 2017).

Confirming Team Trump: Wilbur Ross Department of Commerce, *Brookings FixGov* (January 11, 2017).

The Article 29 Working Party Releases Draft Guidelines on Key Elements of the GDPR Including the Right to Data Portability, Data Protection Officers and the Lead Supervisory Authority (co-author), *datamatters.sidley* (December 19, 2016).

Looking beyond Transatlantic Data Transfers, *Brookings TechTank* (November 9, 2016).

Applications to Intervene in Privacy Shield Challenge, *datamatters.sidley* (November 8, 2016).

EU-U.S. Privacy Shield Challenges in CJEU (co-author), *datamatters.sidley* (November 4, 2016).

White House Publishes Report on Artificial Intelligence (co-author), *datamatters.sidley* (October 21, 2016).

How Big Will Big Data be Under the GDPR? *IAPP Privacy Advisor* (October 24, 2016).

Co-Author, Enabling Humanitarian Use of Mobile Phone Data, in *Trust Data: A New Framework for Identity and Data Sharing* (October 23, 2016).

European Commission Considering Amendments to Standard Contractual Clauses for International Data Transfers (co-author), *datamatters.sidley* (October 13, 2016).

How the Next President can Bridge the Internet-cyber Gap, Brookings *TechTank* (October 10, 2016).

Bridging the internet-cyber gap: Digital policy lessons for the next administration, Center for Technology Innovation at Brookings (October 7, 2016).

Evaluating the Dwindling Privacy Shield Grace Period (co-author), *datamatters.sidley* (September 9, 2016).

States Lead Washington on Consumer Privacy Laws, Brookings *TechTank* (August 3, 2016).

Co-author, “Privacy Shield – Not Just Safe Harbour 2,” *SC Magazine UK* (July 29, 2016).

EU Data Protection Authorities Adopt One-Year “Wait and See” Position on Privacy Shield (co-author), *datamatters.sidley* (July 28, 2016).

Formal Adoption of EU-US Privacy Shield (co-author), *datamatters.sidley* (July 13, 2016).

Privacy Shield’s Final Test Is Yet to Come, *POLITICO Pro* (July 8, 2016).

Privacy Shield Text Updated (co-author), *datamatters.sidley* (July 6, 2016).

Post-Brexit EU May Be Stranded by Its Own Data Rules, *Forbes* (July 1, 2016).

Amid news of Brexit, UK ICO seeks to provide reassurance (co-author), *datamatters.sidley* (June 27, 2016).

Council Adopts EU-wide Cybersecurity Directive (co-author), *datamatters.sidley* (May 20, 2016).

Article 29 Working Party Releases ITS Wish List for the EU-U.S. Privacy Shield (co-author), *datamatters.sidley* (April 15, 2016).

EU General Data Protection Regulation has been Adopted (co-author), *datamatters.sidley* (April 14, 2016).

EU General Data Protection Regulation Takes Significant Steps Towards Adoption (co-author), *datamatters.sidley* (April 12, 2016).

Having an Open and Honest Debate about Security, *Lawfare* and Brookings *TechTank* (March 3, 2016).

Details of the EU-U.S. Privacy Shield Are Published (co-author), *datamatters.sidley* (February 29, 2016).

President Obama Signs Judicial Redress Act (co-author), *datamatters.sidley* (February 24, 2016).

The White House Makes Cybersecurity its Valentine, Brookings *TechTank* (February 25, 2016).

Article 29 Working Party standards frame a holistic look at the actual EU benchmark for surveillance, IAPP *Privacy Perspectives* (February 17, 2016).

Will US-EU privacy shield protect consumers, global Internet? San Francisco Chronicle (February 3, 2016).

Article 29 Working Party Confirms that EU-U.S. Standard Contractual Clauses and Binding Corporate Rules are Still Valid – for the Time-Being (co-author), *datamatters.sidley* (February 3, 2016).

New Framework on Transatlantic Data Flows Agreed – the EU-US Privacy Shield” Adopted (co-author), *datamatters.sidley* (February 2, 2016).

Essentially Equivalent: a comparison of the legal orders for privacy and data protection in the European Union and the United States (with Jacques Bourgeois, William RM Long, Maarten Meulenbelt and Alan Charles Raul, Sidley Austin LLP), on behalf of the United Chamber of Commerce, BSA/ The Software Alliance, The Compute & Communications Industry Association, and Information Technology Industry Council, *datamatters.sidley.com* (January 25, 2016).

Top 10 Privacy Issues to Watch This Year (with Colleen Brown, John Casanova, Alan Charles Raul, and Anna Spencer), *Law 360* (January 11, 2016).

Cybersecurity Act of 2015 Signed Into Law (co-author), *datamatters.sidley* (December 21, 2015).

Agreement Reached on EU General Data Protection Regulation (co-author), *datamatters.sidley* (December 15, 2015).

Negotiations on the General Data Protection Regulation Continue (co-author), *datamatters.sidley* (December 4, 2015).

The Impact of the Court of Justice of the EU’s Judgment Declaring The European Commission’s EU-U.S. Safe Harbor Decision Invalid, BNA Privacy and Security Law Report (November 23, 2015).

The Opportunities and Challenges of Big Data for Business and Public Policy, *datamatters.sidley* (November 19, 2015).

Standing up for The Global Flow of Information, Brookings *TechTank* (November 11, 2015).

Commissioner Jourová encourages further progress amid Safe Harbor fall out (co-author), *datamatters.sidley* (November 4, 2015).

Safe Harbour invalidation puts EU data in quarantine, *EUObserver.com* (October 26, 2015).

Safeguards and Oversight of U.S. Surveillance Under Section 702 (co-author), *datamatters.sidley* (October 25, 2015).

European Data Protection Authorities Give Companies Three Months to Assess New International Data Transfer Solutions and Call “Urgently” for Safe Harbor 2.0 – Model Contracts and Binding Corporate Rules Remain Viable (co-author), *datamatters.sidley* (October 16, 2015).

European Court of Justice strikes down US-EU data transfer agreement, Brookings *TechTank* and *datamatters.sidley.com* (October 7, 2015).

The Backdoor Threat to Encryption, *The Boston Globe* (October 1, 2015).

Finding a Safe Harbor for Safe Harbor, IAPP *Privacy Perspectives* (October 1, 2015).

Opinion by ECJ Advocate General Finds Safe Harbor Invalid (co-author), *datamatters.sidley* (September 24, 2015).

Expanding The Digital Economy Through Data, in US Chamber of Commerce Foundation, *The Internet of Everything: Data, Networks and Opportunities*, uschamberfoundation.org/ioe (September 22, 2015).

Precision Medicine Initiative: Proposed Privacy & Trust Principles (co-author), *datamatters.sidley* (July 15, 2015).

One Step Closer to the EU Data Protection Regulation (co-author), *datamatters.sidley* (June 15, 2015).

Lessons on the New Threat Environment From Sony, Anthem and ISIS, *TechCrunch* and Brookings *TechTank* (March 24, 2015).

We Need a Privacy Bill of Rights, *The Hill* (March 6, 2015).

Privacy and Cybersecurity Get Political Legs, Brookings *TechTank* (February 25, 2015).

Certifying Cloud Compliance: A New International Standard (ISO/IEC 27018) (with Alan C. Raul), [BNA's Daily Report for Executives](#) (February 19, 2015).

Finding Privacy in the Global Cloud, American Constitution Society for Law and Policy's blog and Brookings *TechTank* (January 20, 2015).

On Consumer Privacy, President Obama Makes Up for Lost Time, International Association of Privacy Professionals *Privacy Perspectives* (January 20, 2015).

How to Use Big Data to Combat Ebola, Brookings *TechTank* (November 12, 2014).

The Law Needs to Keep With Technology But Not At The Expense of Civil Liberties, *Forbes.com* (November 6, 2014).

Enabling Humanitarian Use of Mobile Phone Data, Brookings Institution Issues in Technology Innovation (with Yves-Alexandre de Montjoye & Jake Kendall), The Brookings Institution (November 2014).

Europe's big challenge: Creating a digital single market, *GigaOm* (October 11, 2014).

The Changing Scope of Privacy Practice: How to Protect Facebook Users, International Association of Privacy Professionals *Privacy Perspectives* and Brookings *TechTank* (August 26, 2014).

Microsoft Challenges the Government: Litigating Extraterritoriality in a Virtual World, American Constitution Society Blog and Brookings *TechTank* (July 30, 2014).

Smiling Through Clenched Teeth, *TechTank*, The Brookings Institution (July 15, 2014).

The Future of Privacy and Regulation, *TechTank*, The Brookings Institution (July 1, 2014).

Bridging Transatlantic Differences on Data and Privacy After Snowden, *TechTank*, The Brookings Institution (May 20, 2014).

Missed Connections: Talking with Europe about Data, Privacy, and Surveillance, Issues in Technology Innovation, The Brookings Institution (May 20, 2014).

Using Technology to Better Inform Consumers about Privacy Decision, *TechTank*, The Brookings Institution (April 30, 2014).

Internet Corporation for Assigned Names and Numbers (ICANN) Shifting Responsibility to "Global Multistakeholder Community," *TechTank*, The Brookings Institution (March 15, 2014).

Digital Trade and the Transatlantic Trade and Investment Partnership, *TechTank*, The Brookings Institution (March 3, 2014).

My Brother John Kerry Is A Passionate And Consistent Supporter of Israel, *Yediot Ahronot* (in Hebrew), *YNet*, and *Huffington Post* (February 14, 2014).

Why NSA Overreach Is Bad for Business Too, *Politico Magazine* (January 15, 2014).

Avoiding a US-EU Data Divide, *The European Voice* (November 20, 2012).

Commerce Department Promotes Internet Privacy Blueprint Overseas, The White House Blog, (March, 2012).

Preface to M. Abeti, N. Ben Rayana, J. Durgée, M. El Abassi & I. Hasan, *Entrepreneuriat et Innovation dans Les Pays du Maghreb* (2011).

Expanding The Global Fight Against Corruption, *TheHill.com* (December 9, 2010).

Obama Is Calling to Jews, *Jewish Telegraphic Agency* (April 18, 2008).

Unpacking the Massachusetts Preliminary Injunction Standard, Massachusetts Law Review (Winter 2007).

Contributor, Report and Recommendations, Civic Engagement Working Group, Patrick-Murray Transition Committee (December 2006).

Voting Made Easy, *Boston Globe* (October 3, 2005).

Counting Every Vote, *Boston Globe* (January 6, 2005).

Coordinating editor, Special Millennium Issue, The Constitution in The 21st Century, 44 Boston Bar J. No. 1 (Jan. 2000) (a collection of articles by judges and prominent BBA members on current constitutional issues).

Door Left Open for Operators to Sue for Access to Rights of Way, 17 Cable TV & New Media Law & Finance 1 (Sept. 1999), with Frank W. Lloyd & Scott A. Samuels (a note on a First Circuit decision on provisions of the Telecommunications Act of 1996).

Kumho Tire Widens The Gate, Toxic Torts & Environmental Law (Summer, 1999) (analysis of last year's U.S. Supreme Court decision on admissibility standards for expert testimony under Fed. R. Evid. 702).

Feds Finding That Old Rules Don't Work on Net, *Mass High Tech* (April 5-11, 1999) (reporting on communications regulation issues affecting the Internet).

A Sword And A Shield: The Effect of New Standards on Lead Liability Litigation, in Conference Materials, Lead and the Law Conference presented by IAQ Publications, Washington, D.C., and conference presentation on Lead Exposure – A Critical Examination of Legal, Medical, and Bureaucratic Models (March, 1997) (analysis of the impact of HUD and EPA regulations on liability standards in lead litigation).

Playing The Odds in Lead Litigation, in Conference Materials, Lead Tech Conference presented by IAQ Publications in Arlington, Virginia, and conference presentation (Oct., 1996) (statistical analysis of verdicts).

A Statistical Analysis of Lead Litigation Verdicts, Mealey's Litigation Reports – Lead (July 3, 1996) (same).

Lanigan's Wake: Has a New Standard Emerged for Admitting Scientific Evidence in Massachusetts Court? 40 Boston Bar. J. 8 (Jan.-Feb. 1996), with Andrew N. Nathanson (review and analysis of the SJC's adoption of *Daubert* standards in *Commonwealth v. Lanigan*).

Franchise Fees Enforcement under The Cable Act: An FCC Responsibility, 39 Fed. Communications Law. J. 53 (1985), with Frank W. Lloyd (analysis of Communications Act provisions and FCC authority relating to local cable television franchise fees).

Principal author & editor, State and Municipal Regulation of Cable Television, and editor, Federal Regulation of The Content of Programming Originated by Cable Systems, in C. D. Ferris, F. W. Lloyd & T. Casey, Cable Television Law (Matthew Bender & Co., 1983 & Supps. 1984-96) (treatise chapters and periodic updates on title subjects).

Regulation of Internal Union Affairs – Access to the Union Ballot Under the LMRDA; and Certification of a Discriminatory Bargaining Representative – *Bekins Overruled: Handy Andy, Inc.*, in Annual Survey of Labor Relations and Employment Discrimination Law, 18 Boston College L. Rev. 1045, 1090 (1977) (notes on NLRB decisions).

Note, Advertising of Prescription Drug Prices as Protected Commercial Speech -- *Virginia State Board of Pharmacy v. Virginia Citizens Consumer Council, Inc.*, 18 Boston College L. Rev. 276 (1997) (a comment on First Amendment standards of review applicable to commercial speech).

CONGRESSIONAL TESTIMONY

Senate Committee on Commerce, Science, and Transportation, The Need for Privacy Protections: Perspectives from the Administration and the Federal Trade Commission (May 9, 2012).

Senate Committee on Commerce, Science & Transportation, Privacy and Data Security: Protecting Consumers in the Modern World (June 29, 2011).

Senate Committee on Judiciary, The Electronic Communications Privacy Act:
Government Perspectives on Protecting Privacy in The Digital Age (April 6, 2011).

Senate Committee on Judiciary, The Electronic Communications Privacy Act:
Promoting Security And Protecting Privacy in The Digital Age (September 22,
2010).

Senate Committee on Commerce, Science & Transportation, Confirmation Hearing
(April 20, 2009).

PUBLIC SPEECHES AND PROFESSIONAL PRESENTATIONS

Panelist, “Trans-Atlantic data flows: What’s next after the EU-U.S. Privacy Shield?” The Brookings Institution, Virtual (July 23, 2021).

Moderator, “Avoiding discriminatory outcomes in digital advertising,” Network Advertising Initiative, Virtual (June 30, 2021).

Podcast, “Prospects of a federal data privacy law,” American Consumer Institute (June 9, 2021).

Speaker, “Fireside chat,” RightsCon 2021, Virtual (June 9, 2021).

Moderator, “Global Privacy, Data Flows, and Government Access”, Brookings Institution, Virtual (June 9, 2021).

Commentator, “How (not) to write a privacy law, by Julie Cohen,” Privacy Law Scholars Conference, Virtual (June 3, 2021).

Panelist, “Biden agenda for privacy and security,” Privacy + Security Conference, Virtual (May 25, 2021).

Panelist, “Finding Sweet Spots for Successful Compromise on a Federal Privacy Law,” IAPP, Virtual (May 3, 2021).

Panelist, “An overview of Section 230,” National Academies of Sciences, Engineering, and Medicine’s Committee on Science, Technology, and Law, Virtual Workshop on Section 230 Protections (April 22, 2021).

Moderator, Virtual roundtable on privacy legislation, The Brookings Institution (February 18, 2021).

Panelist, “A conversation on international governance reform,” The Brookings Institution, Virtual (February 17, 2021).

Panelist, “Transferts des données vers les états-unis: L’Europe se rebiffe,” Cercle-France Amériques, Virtual (November 20, 2020)

Panelist, “Will the stars finally align for a federal privacy law?” IAPP, Virtual (November 13, 2020).

Panelist, “Regulation of Algorithms: Policymaker & Expert Perspectives,” Ohio State University, Virtual (October 29, 2020).

Panelist, “Digital sovereignty & the scramble for data supremacy,” GLOBSEC Bratislava Forum, Virtual (October 8, 2020).

Keynote, “The EU Court of Justice challenges the world,” Institute of International and European Affairs, Virtual (September 17, 2020).

Moderator, “Advancing the transatlantic dialogue in the aftermath of Schrems II,” The Brookings Institution, Virtual (September 10, 2020).

Podcast, “How can we overcome gridlock on a U.S. privacy bill?” IAPP *The Privacy Advisor* (June 12, 2020).

Panelist, “EU tech agenda post-COVID,” techUK, Virtual (June 11, 2020).

Workshop Leader, “Bridging the gaps: New Brookings report of federal privacy legislation,” Privacy Law Scholars Conference, Virtual (June 4, 2020).

Moderator, “What will it take to bridge gaps in federal privacy legislation?” The Brookings Institution, Virtual (June 3, 2020).

Keynote, International Data Protection Day, European Data Protection Board, Brussels, Belgium (January 2020).

Co-moderator, U.S.-EU Conversation on AI Policy roundtable, The Brookings Institution, Washington, DC (January 2020).

Presenter, “Policy, Politics, and Privacy: Shaping Comprehensive Federal Privacy Legislation,” Boston University School of Law, Boston, MA (January 2020).

Panelist, “What do the GDPR and CCPA mean for privacy in America?,” The Brookings Institution, Washington, DC (December 2019)

Panelist, “What is going on in the U.S.,” International Association of Privacy Professionals Europe Congress, Brussels, Belgium (November 2019).

Introductory remarks and panelist, “Consumer online privacy: where are we now?,” Minority Media and Telecommunications Council, Access to Opportunity Conference, Washington, DC (October 2019).

Moderator, “The role of the Federal Trade Commission in privacy and beyond: A fireside chat with Commissioners Rebecca Kelly Slaughter and Christine S. Wilson,” The Brookings Institution, Washington, DC (October 2019).

Moderator, “Biometrics roundtable,” The Brookings Institution and World Privacy Forum, International Conference of Data Protection and Privacy Commissioners, Tirana, Albania (October 2019).

“5G expansion and the future of privacy,” a conversation with William Kennard, Brookings Council, Washington, DC (October 2019).

Keynote, “Perspectives on a federal privacy law: The view from inside the Beltway,” Privacy + Security Academy, George Washington University, Washington, DC (October 2019).

Panelist, “Putting a price on privacy,” Privacy + Security Academy, George Washington University, Washington, DC (October 2019).

Moderator, Civil rights, algorithms and privacy legislation roundtable, The Brookings Institution, Washington, DC (September 2019).

Opening remarks, “Protecting information privacy: Challenges and opportunities in federal legislation,” The Brookings Institution, Washington, DC (September 2019).

Moderator, Pathways to compromise on key issues in privacy legislation roundtable, The Brookings Institution, Washington, DC (July 2019).

Moderator, Big data and bias roundtable, The Brookings Institution, Washington, DC (July 2019).

Keynote, “Getting data right,” U.S. Chamber of Commerce Technology Engagement Center Conference, Washington, DC (July 2019).

Moderator, Trade and data security roundtable, The Brookings Institution, Washington, DC (July 2019).

Opening remarks, “Information-sharing ecosystems: How they operate and what that means for privacy legislation,” The Brookings Institution, Washington, DC (June 2019).

Introductory remarks, “Did Edward Snowden do more harm or good?” Venture Forum Debate, Brooklyn, NY (June 2019).

Moderator, Future-proofing privacy legislation roundtable, The Brookings Institution, Washington, DC (June 2019).

Panelist, “Privacy legislation: building blocks of bipartisan compromise,” TechFreedom Capitol briefing, Washington, DC (May 2019).

Moderator, International roundtable on U.S. privacy developments, The Brookings Institution, Washington, DC (May 2019).

Panelist, “Prospects and issues for privacy legislation,” Future of Privacy Forum Annual Meeting, Washington, DC (May 2019).

Panelist, “Learning from the outside in: The global privacy landscape,” Microsoft Corporate, External and Legal Affairs Summit, Bellevue, WA (May 2019).

Keynote, Boston Bar Association Privacy and Cybersecurity Conference, Boston, MA (May 2019).

Moderator, “EU-US digital cooperation: A common response to tech challenges?” with EU Commissioner for Justice, Consumer and Gender Equality Vera Jourová, the Brookings Institution, Washington, DC (April 2019).

Panelist, “Where Should Reliance on Corporate Compliance End and Enforcement Begin? Business Roundtable Privacy Bootcamp, Washington, DC (April 2019).

Panelist, “Digital technology in the age of artificial intelligence: A comparative perspective,” Sixth annual Justice Stephen Breyer lecture on international law, the Brookings Institution (March 2019).

Moderator, “Can data privacy save us? Challenges and opportunities in legislation,” Access Now Data Privacy Summit, Washington, DC (March 2019).

Panelist, “Sino-U.S. Relations in Cyberspace and the Challenges of Artificial Intelligence,” Think Forum of the Brookings Institution with Chinese Academy of Cyberspace Studies, Fifth Chinese World Internet Congress, Wuzhen, China (November 2018).

Moderator, “Has the Time for Baseline Privacy Legislation in the US Come at Last?” Privacy +Security Forum, Washington, DC (October 2018).

Fireside Chat, “The Data Privacy Imperative: Embracing Innovation in Today’s World,” Workday Rising Conference, Las Vegas, NV (October 2018).

Moderator, “A Forum on the NIST Privacy Framework: An Enterprise Risk Management Tool,” The Brookings Institution, Washington, DC (September 2018).

Keynote, “Convergence and Divergence in EU and US Privacy, Data Protection, and Security – Past, Present, and Future,” The Mentor Group Forum for EU-US Legal-Economic Affairs, Washington, DC (September 2018).

Moderator, “Human Rights and Data: Views from a Leader in the European Parliament (Sophie In ‘t Veld),” The Brookings Institution, Washington, DC (July 2018).

Keynote, “Can Complex Systems Science Help Rationalize Cross-Border Governance in Cyberspace?” 9th International Conference on Complex Systems, New England Complex Systems Institute, Cambridge, MA (July 2018).

Podcast, “America’s Data Privacy Problem,” Brookings Cafeteria (with Fred Dews, the Brookings Institution, Washington, DC (July 2018).

Keynote, “Regulating Privacy and Security in a Networked World,” Israel Cyber Week Plenary Meeting, Tel Aviv, Israel (June 2018).

Panelist, “From Local to Global, Technology, Privacy and Policy for the Digital Economy: GDPR,” Tel Aviv University, Tel Aviv, Israel (June 2018).

Panelist, “Cybersecurity and Warfare in the 21st Century,” Princeton University Center for International Security Studies and Center for Information Technology Policy, Princeton, NJ (May 2018).

Moderator, “What Are the Rules for Government Access: The CLOUD Act and Other Government Access Laws & The Encryption Debate,” Mass Technology Leadership Council Policy Series, Boston, MA (May 2018).

Panelist, “The Bermuda Triangle: Privacy, Data Flows, and Localization,” U.S. Chamber of Commerce TecGlobal Summit, Washington, DC (April 2018).

Moderator, “The Future of EU Data Protection: A View from a Leader in Parliament (Birgit Sippel),” The Brookings Institution, Washington, DC (March 2018).

Panelist, “EU General Data Protection Regulation: Implementation, Enforcement and Beyond,” Sidley Austin Privacy & Security Roundtable, Washington, DC (March 2018).

Moderator, “The Federal Cybersecurity Framework Four Years Later: What’s Next for Cybersecurity?” The Brookings Institution, Washington, DC (February 2018).

Panelist, “How Will the Trump Administration Affect the Tech Sector?” Tech Policy in Age of Regulatory Uncertainty, Sidley Austin LLP, Washington, DC (January 2018)

Speaker, “The Future of Data Transfers,” Sidley legal meeting, Boston, MA (November 2017).

Co-Moderator, “Transatlantic Cybersecurity in a Time of Evolving Threats,” Business Software Alliance General Counsel Roundtable, Saint Helena, CA (November 2017).

Moderator, “Fireside Chat with Former Secretary of State John Kerry,” Sidley Austin General Counsel Roundtable, Dallas, TX (October 2017).

Guest Lecturer, “European Privacy Law,” Professor Paul Ohm’s Privacy Law Class, Georgetown University Law Center, Washington, DC (October 2017).

Moderator, “Global Business in a Nationalist World,” Sidley Austin General Counsel Roundtable,” Palo Alto, CA (September 2017).

Speaker, “What Boards of Directors Need to Know About Cybersecurity,” Sheletered Harbor Board of Directors, Washington, DC (September 2017).

Keynote Speaker, “The Brave New World of Data,” Council for Inclusion in Financial Services FINSERV Expo, Dallas, TX (August 2017).

Keynote Speaker, “The Economic and Political Dimensions of Cyber Policy,” National Security Committee, American Bar Association International Section, telephone conference (July 2017).

Panelist, “What Every CEO Needs to Know About Managing Privacy Risk,” SINET Innovation Summit, New York, NY (June 2017).

Panelist, “What to Expect from the GDPR,” Bay Area Life Sciences Roundtable, Sidley Austin LLP, San Francisco, CA (May 1017).

Keynote Speaker, “Opportunities and Obstacles – Perspectives from Europe and the U.S.” The Aspen Institute Germany/Internet Economy Foundation/Atlantic Council Forum on the Transatlantic Digital Agenda: Bridging the Gap, Berlin, Germany (April 2017).

Moderator, “Privacy Law, Social Norms and Culture: East Meets West,” IAPP Global Summit, Washington, DC (April 2017).

Panelist, “Privacy and Cybersecurity Roundtable,” Sidley Austin LLP, Washington, DC (April 2017).

Panelist, Annual Health Law Symposium, Suffolk University Law School’s Journal of Health & Biomedical Law, Boston, MA (March 2017).

Panelist, “Cyber Policy and Best Business Practices,” Boston Conference on Cybersecurity, Boston College and the Federal Bureau of Investigation, Boston, MA (March 2017).

Panelist, “The Critical Need to Coordinate Cybersecurity Regulatory Oversight—Issues, Obstacles and Solutions,” NYU Center for Cybersecurity, New York, NY (March 2017).

Panelist, “What Companies Need to Know About Data Transfers and the New EU Privacy Regime,” The 2017 Outlook on Privacy and Data Security, Bloomberg Law, Washington, DC (February 2017).

Co-teacher (with Omer Tene), “Privacy Law, Policy, and Ethics for Data Scientists,” MIT Independent Activities Period (January 2017).

Keynote Speaker, 35th Anniversary Institute for Corporate Counsel, USC Gould School of Law and the Los Angeles County Bar Association’s Corporate Law Departments Section, Los Angeles, CA (December 2016).

Moderator, “Effect of Developments in Technology on the Nature and Dissemination of Political Information and the Conduct of Campaigns,” NYU School of Law and Sidley Austin LLP Forum, Washington, DC (December 2016).

Panelist, “Future of Advertising Law and Policy,” University of Colorado Law School, Boulder, CO (December 2016).

Panelist, “International Cooperation,” 46th Asia-Pacific Privacy Authorities Forum, Manzanillo, Mexico (November 2016).

Moderator, “We’ve Been Hacked!! What Now?” USC Marshall Corporate Directors Symposium, Southern California Chapter of the National Association of Corporate

Directors and the USC Marshall School of Business, Los Angeles, CA (November 2016).

Moderator, “Coping With Uncertainties of a Networked World,” Rock Center and the Silicon Valley Directors’ Exchange, Stanford, CA (November 2016).

Moderator, “International Data Transfers After the Privacy Shield: Let Me Count the Ways,” IAPP Europe Summit, Brussels, Belgium (November 2016).

Panelist, “Legal Aspects of Cybersecurity,” Securities Industry Financial Markets Association (SIFMA), New Orleans, LA (October 2016).

Speaker and moderator, “Digital Policy Lessons for the Next Administration,” The Brookings Institution, Washington, DC (October 2016).

Panelist, “IoT: Exploring the Role of Governments,” National Telecommunications and Information Administration, Alexandria, VA (September 2016).

Speaker, “Practical Steps to Privacy Shield Self-Certification,” DataGuidance Webinar (September 2016).

Co-teacher (with Professor Alex Pentland), “Big Data and Social Physics,” MITx massively organized online course, modules on privacy law and ethics (offered September 2016).

Panelist, “Changing Frontiers of Privacy,” Sidley Austin LLP 7th Annual General Counsel Roundtable Bay Area, Palo Alto, CA (September 2016).

Panelist, “Insurance Industry Cybersecurity and Privacy Roundtable,” Sidley Austin LLP, New York, NY (September 2016).

Panelist, “Interpreting Cybersecurity Risk under SEC Guidance,” ABA Annual Meeting, San Francisco, CA (August 2016).

Keynote Speaker, “The U.S.-EU Privacy Shield: How Will it Affect Trans-Atlantic Data Transfers?” The American Business Forum on Europe, New York, NY (May 2016).

Keynote Speaker, International Academy of Trial Lawyers China Program Annual Meeting, San Jose, CA (May 2016).

Keynote Speaker, Stanford China Law Conference, Palo Alto, CA (May 2016).

Panelist, “The Digital Landscape in Europe: How Will a New Safe Harbor Agreement and an Expansive New Privacy Law Shape Business Strategy,” Association of General Counsel, Newport Beach, CA (May 2016).

Keynote Speaker, “The U.S.-EU Privacy Shield: More Protection for Individuals in Trans-Atlantic Data Transfers,” The American Business Forum on Europe, New York, NY (May 2016).

Panelist, “Privacy and Cybersecurity Roundtable,” Sidley Austin LLP, Washington, DC (April 2016).

Panelist, “Latest Privacy Challenges Out of the EU: Understanding the ‘Privacy Shield’ and Preparing for the New General Data Protection Regulation,” Association of Corporate Counsel, New York, NY (March 2016).

Moderator, “Tales from the Breach: What Directors Need to Know and Do to Prepare for Cybersecurity Breaches,” The National Association of Corporate Directors, Chicago, IL (March 2016).

Speaker, “European Commission Publishes Privacy Shield Documents,” Sidley Austin LLP Webinar (March 2016).

Moderator, “Is Information Market Power: Protecting Consumers and Competition in The Digital Age,” with Federal Trade Commissioner Terrell McSweeney, The Brookings Institution, Washington, DC (February 2016).

Panelist, “TTIP, TiSA, CETA: Is Privacy a Commodity for Trading?” Computers, Privacy & Data Protection Conference, Brussels, Belgium (January 2016).

Moderator, “Essential Equivalence Under the CJEU’s Schrems Decision,” DataGuidance Webinar, originated from London, UK (January 2016).

Moderator, “The Future of US-EU Data Transfer Arrangements,” with European Union Justice, Consumer, and Gender Equality Commissioner Vera Jourová, The Brookings Institution, Washington, DC (December 2015).

Moderator, Panel Discussion, “How to Put The Individual in Control,” Apple, Inc., Amsterdam, The Netherlands (October 2015).

Participant, World Economic Forum Global Agenda Summit, Council on Data-Driven Development, Abu Dhabi (October 2015).

Panelist, Nonprofit Data Privacy and Security Workshop, Lawyers Clearinghouse, Boston, MA (October 2015).

Presenter, “Safe Harbor: Your Questions Answered,” DataGuidance Webinar, originated from London, UK (October 2015).

Participant, OECD Workshop on Economic and Social Benefits of an Open Internet, Washington, DC (September 2015).

Panelist, “The Politics of TTIP: Deal or No Deal?” Politico, Brussels, Belgium (September 2015).

Closing Keynote, “The Global Privacy and Security Infrastructure,” Association of Corporate Counsel, National Capital Region, McLean, VA (September 2015).

Keynote Address, “The Use of Big Data in The US,” Big Data Innovation Summit, Boston MA, (September 2015).

Discussant, Transatlantic Digital Disconnect Dialogue, Paul Nitze School for Advanced International Studies, Johns Hopkins University and Konrad Adenauer Stiftung, Brussels, Belgium (September 2015).

Remarks and Discussion, “Liberty and Security,” Atlantik Bruecke Young Leaders’ Conference, Queenstown, MD (July 2015)

Panelist, “Cybersecurity Intensive,” Stanford Directors’ College, Palo Alto, CA (June 2015).

Workshop Leader, “Anonymity and Risk,” by Rubinstein & Hartzog, Privacy Law Scholars Conference, Berkeley, CA (June 2015).

Moderator, “The Digital Single Market – Implications for the Transatlantic Digital Economy,” with European Union Vice-President for the Digital Economy Andrus Ansip, The Brookings Institution, Washington DC (May 2015).

Lecture, “Who Owns The Internet,” Ohio Supreme Court Forum on the Law, Columbus, OH (May 2015).

Presenter, “Big Data and Privacy,” DataGuidance webinar, originated from Kong, UK (May 2015).

Moderator, “The Future of the EU – Challenges and Opportunities,” Council on Foreign Relations Roundtable with former EU Trade Commissioner Karel DeGucht, Boston, MA (May 2015).

Moderator, “Anti-Corruption: The Hottest Topic in Asian M&A in 2015,” Sidley Austin Webinar (May 2015).

Panel Discussion, “A Global Review of Recent Developments in Privacy and Cybersecurity Laws,” Hong Kong Corporate Counsel Association, Hong Kong, China (May 2015).

Panel Discussion, “A Global Review of Recent Developments in Privacy and Cybersecurity Laws,” Association Corporate Counsel, Singapore (May 2015).

Closing Keynote, “The Future of Global Interoperability,” International Association of Privacy Professionals Asia Forum, Singapore (May 2015).

Keynote Address, “Governance and The Digital Economy,” General Counsel Summit, Sydney, Australia (May 2015).

Participant, US-UK Internet Economy Dialogue, U.S. Department of State, Washington, DC (April 2015).

Moderator and Panelist, “What Is the Future for Data Transfer Interoperability?” International Association of Privacy Professional Europe Data Protection Intensive, London, UK (April 2015).

Firestarter Remarks, “Development, Technology, and Policy in the Big Data Era,” MIT Media Lab, Cambridge, MA (April 2015).

Debate, “Data Privacy – Balancing Security and Civil Liberties,” with European Parliamentarian Jan Philippe Albrecht, The European Institute, Washington, DC (April 2015).

Panel Discussion, “Information and Cyber Governance, Data Analytics and Privacy,” Sandpiper Associates Briefing, Washington, DC (March 2015).

Panel Discussion, “Cyber Insurance and Corporate Governance,” New York University Law School and School of Polytechnic Engineering, Brooklyn, NY (April 2015).

Lecture, “Privacy and Security in the Age of the Internet,” Temple Israel Boston, Boston, MA (March 2015).

Panel Discussion, “U.S. Federal Privacy Legislation: Is a New Consumer Privacy Law on Its Way?” International Association of Privacy Professional Global Summit, Washington, DC (March 2015).

Moderator, “Privacy, Security, and the US-EU Relationship,” Brookings Institution Roundtable, Washington, DC (March 2015).

Moderator, “A Conversation with Isabelle Falque-Pierrotin” (Chair of French Commission Nationale de l’Informatique et des Libertés & European Union Article 29 Working Party), MIT Media Lab Conversations, Cambridge, MA (February 2015).

Discussant, “How to Bridge the ‘Digital Disconnect’ Between the US and Europe,” Center for Transatlantic Relations, Johns Hopkins University, Washington, DC (February 2015).

Discussant, “Data Protection: Let’s Focus on SMEs,” European Parliament Workshop, Brussels, Belgium (February 2015).

Guest Speaker, Seminar on Cybersecurity, Harvard Kennedy School (February 2015).

Moderator, “US Intelligence Community Surveillance One Year After President Obama’s Address,” with Robert Litt, General Counsel for the Director of National Intelligence, The Brookings Institution (February 2015).

Presentation, “The Outlook for Privacy and the Impact on Financial Services,” with DataGuidance, London, UK (January 2015).

Guest Lecture, “Public Policy in the Global Digital Economy,” University of Luxembourg, Luxembourg (January 2015).

Panel Discussion, “Open Data, Civic Hacking and Data-Driven Government,” Center for Data Innovation Annual Data Innovation Day, Washington, DC (January 2015).

Expert Panel, US-India Communications Technology Working Group, U.S. Department of State, Washington, DC (January 2015).

Panel Discussion, “Distinguished Panel on Privacy,” FBI/ Fordham University International Conference on Cyber Security, New York, NY (January 2015).

Panel Discussion, “Assessing the Progress of the European Data Protection Regulation: on track for completion?” Forum Europe European Data Protection Conference (December 2014).

Roundtable Discussion, “Big Data, Cloud Computing and Privacy,” Dewey Square Associates, Washington, DC (December 2014).

Presenter, “Information Security & EU Regulatory Update,” DataGuidance Webinar, originated from London, UK (December 2014).

Panel Discussion, “Cybersecurity – The Problem and the Solutions,” International Association of Privacy Professional European Data Protection Congress (November 2014).

Presentation and Panel Discussion, “Big Data Privacy Working Group Scenarios,” Big Data@MIT Annual Meeting, Cambridge, MA (November 2014).

Panel Discussion, “Intellectual Property at Risk: Creative Assets and Corporate Secrets in the Cyber Age,” The Pacific Council Annual Meeting, Santa Monica, CA (October 2014).

Discussant, “Reforming Public Diplomacy,” Aspen Institute, Aspen, CO (August 2014).

Panel Discussion, “Disruption in Finance, International Trade, Privacy, Trust and Security, Cities, Transactions,” Ecology of Digital Assets: Identity, Trust & Data Conference, MIT Media Lab, Cambridge, MA (July 2014).

Moderator, “Making the Legal System Compatible with the Cloud-Driven World,” Microsoft Innovation Center, Washington, DC (July 2014).

Panel Discussion, US-German Cyber Dialogue, Berlin, Germany (June 2014).

Moderator, “The Future of Global Technology, Privacy, and Regulation” with Microsoft General Counsel Brad Smith, Brookings Institution, Washington, DC (June 2014).

Panel Discussion, “Security, Privacy and Digital Trade in a Post-PRISM World,” Cloud Computing Policy Conference USA, Washington, DC (June 2014).

Panel Discussion, The National Security Debate: One Year Later, The International Implications, Brookings Institution, Washington, DC (June 2014).

Opening Keynote, “Meeting The Privacy Challenge,” MIT Information & Communications Technologies Conference, Cambridge, MA (April 2014).

Discussant, Governance Roundtable, White House & UC Berkeley School of Information Workshop on Big Data: Values & Governance, Berkeley, CA (April 2014).

Participant, NYU Law School Roundtable on Cybersecurity, New York, NY (April 2014).

Panel Discussion, “Improving Critical Infrastructure Cybersecurity: The Cybersecurity Framework and Beyond,” The Brookings Institution, Washington, DC (February 2014).

Panel Discussion, “Social Physics: How Social Networks Spread Ideas,” The Brookings Institution, Washington, DC (February 2014).

Faculty Member, Cable Television 2014, Practicing Law Institute, New York, NY (January 2014).

Panel Discussion, “President Obama’s NSA Reforms Speech: What Are The Implications for Privacy, Commerce, and National Security?” The Brookings Institution, Washington, DC (January 2014).

TEDx Talk, “How We Can Rebuild Trust in American Privacy,” TED x Beacon Street, Brookline, MA (November 2013).

Keynote and Panel Discussion, “Perspectives for TTIP,” Johns Hopkins University Transatlantic Academy/ Center for Transatlantic Relations, Washington, DC (October 2013).

Panel Discussion, “Big Data: How The Next Tech Boom Will Change Every Company’s Balance Sheet,” National Strategic Investment Dialogue, Arlington, Virginia (October 2013).

Address, “The Impact of Privacy and National Security on International Commerce in The Digital Age,” German Marshall Fund of the United States, Washington, DC (August 2013).

Remarks and roundtable, “Toward a Digitally-Driven Transatlantic Market,” Transatlantic Policy Network Transatlantic Week, Washington, DC (July 2013).

Opening Remarks, Federal Triangle Coalition Pride Week Celebration, Washington, DC (June 2013).

Keynote, “Rebalancing Toward Asia: APEC, ASEAN, TPP, and China,” The Asia Society (June 2013).

Lecture, “The Digital Economy, Rule of Law from Beijing to Baghdad, IP & Lots Else - The Job of The General Counsel at the U.S. Department of Commerce,” Georgetown Law Center, Washington DC (April 2013).

Opening remarks, Coalition for Privacy and Trade, Washington, DC (April 2013).

Keynote, “Free Trade and The Free Flow of Information Across Borders,” United States Export Assistance Center Conference, Waltham, MA (March 2013).

Panelist, “The New Frontier: Policy and Politics in the Age of The Internet,” Georgetown Public Policy Institute, Washington, DC (February 2013).

Faculty Member, Cable Television 2013, Practicing Law Institute, New York, NY (January 2013).

Panelist, “Shield or Sword: The Changing Role of Patents in the Invention Economy,” 15th Annual MIT Venture Capital Conference, Cambridge, MA (December 2012).

Keynote, “The International fight Against Corruption; What’s Working, What’s Not Working, And What Will Work?” Susan & Augustus diZerega Lecture, George Washington University Law School (December 2012).

Keynote, “Cybersecurity as an Economic Issue,” Central Command Communications Conference, Reston, Virginia (November 2012).

Keynote, National Cyber Security Alliance Cyber Security Business Forum, New York, NY (October 2012).

Remarks, European Parliament Committee on Civil Liberties, Justice and Home Affairs Hearing, “Reform of the EU Data Protection Framework: Building Trust in a Digital and Global World,” Brussels, Belgium (October 2012).

Presentation, “What the Commerce Department Is Doing to Promote Economic Growth and Innovation,” Greater Boston Chamber of Commerce Committee on Government Affairs, Boston, MA (October 2012).

Opening and Closing Remarks, 2012 U.S.-China Legal Exchange, Harbin, Beijing and Guiyang, China (August 2012).

Remarks, “Intellectual Property Protection and Economic Opportunity,” Harbin Institute of Technology, Harbin, China (August 2012).

Remarks, National Institute of Standards and Technology Forensic Science Colloquium, Gaithersburg, MD (July 2012).

Opening and Closing Remarks, U.S. – Iraq Commercial Finance Conference, “Commercial Finance: A Global Perspective,” Baghdad, Iraq (June 2012).

Remarks, “Data Protection & Privacy Regulation: What Impact on Business and Consumers?” Rome, Italy (June 2012).

Panel Discussion, “The Evolution in the Approach to Privacy: The Vision of US, EU and Italy, Rome, Italy (June 2012).

Remarks, Transatlantic Policy Network EU-US Roundtable, “Advancing Interoperability in Transatlantic Data Policy,” Brussels, Belgium (June 2012).

Panel Discussion, “Focus on China: Opportunities and Challenges,” The Leaders Council, New York, NY (May 2012).

Keynote, “The Importance of Standards and the Standards Infrastructure,” U.S. Chamber of Commerce & Administrative Conference of the United States Incorporation by Reference and International Regulatory Cooperation Recommendations Summit, Washington, DC (May 2012).

Opening Remarks, “Visionary Innovators,” American Intellectual Property Association World IP Day, Washington, DC (April 2012).

Panel Discussion & Closing Remarks, US/EU Safe Harbor Conference (March 2012).

Closing Remarks, Suffolk University Conference on Corruption in The Global Marketplace, Boston, MA (March 2012).

Keynote Address, International Association of Privacy Professionals (IAPP) Conference, Washington, DC (March 2012).

Keynote, “Transatlantic Solutions for Data Privacy,” Second Annual European Data Protection and Privacy Conference, Brussels, Belgium (December 2011).

Lecture, “Commercial Rule of Law in the United States and China,” Tsinghua University, Beijing, China (November 2011).

Discussant, Aspen Institute IDEA Program 4th Plenary Session, Washington DC (November 2011; report published April 2012).

Discussant, “Updating The Rules of The Digital Road: Privacy, Security, Intellectual Property, Aspen Institute, Aspen, CO (August 2011; report published March 2012).

Remarks, “A New Framework for Consumer Data Privacy Protections,” Brookings Institution, Washington, DC (July 2011).

Remarks, “The Importance of Transatlantic Cooperation on Commercial Data Privacy,” European Commission & Hungarian Ministry of Public Administration International Data Protection Conference, Budapest, Hungary (June 2011).

Opening Address, “Doing Business under a New Privacy Framework,” Computers And Freedom Annual Conference, Washington, DC (June 2011)
(www.ustream.tv/recorded/8014272).

Opening and Closing Remarks, Qatari Public Prosecution Office, United Nations Development Programme (UNDP), Organization for Economic Development (OECD), Gulf Cooperation Council, Middle East Partnership Initiative & U.S. Department of Commerce Commercial Law Development Program Conference on Private Sector Integrity And Economic Development in The Gulf States, Doha, Qatar (May 2011).

Dinner Remarks, Doha Forum on Democracy, Free Trade & Development, Doha, Qatar (May 2011).

Panelist, Business Software Alliance High Tech General Counsel Forum, “Refereeing in the Cloud: Whose Rules Govern?” Rancho Palos Verdes, CA (April 2011).

Economic Law: Perspectives on the 50th Anniversary of the OECD, Washington, DC (March 2011).

Welcoming Remarks, Asia-Pacific Economic Cooperation (APEC) Data Privacy Subgroup Technical Assistance Seminar, “Operationalizing The APEC Cross-Border Privacy Rules System,” Washington, DC (March 2011).

Keynote Address, Privacy Law Salon, Miami FL (January 2011).

Keynote, Congressional Internet Advisory Committee, State of The Net Conference, Washington, DC (January 2011).

Panelist & Closing Remarks, “Promoting The Rule of Law in China,” U.S. Department of Commerce China Policy Conference, Georgetown University (December 2010).

Panelist, Organization of Economic Cooperation & Development Annual Privacy Guidelines Conference, Jerusalem, Israel (October 2010).

Lecture, “Commercial Rule of Law And The Development of The Chinese Legal System,” Zhejiang University School of Law, Wuhan University Law School,

Sichuan Normal University, Hangzhou, Wuhan, and Chengdu, China (October 2010).

Closing Remarks, U.S. Department of Commerce Symposium on Cybersecurity & Innovation in The Information Economy (July 2010).

Closing Remarks, "Toward A Comprehensive Internet Copyright Policy," U.S. Department of Commerce Symposium on Copyright Policy in The Internet Economy (July 2010).

Roundtable Presentation, "The Importance of US-Spanish Commercial Ties," Spain-US Latino Business Forum (June 2010).

Keynote, U.S. Department of Commerce Symposium on Privacy & Innovation (May 2010).

Keynote Address, Federal Communications Bar Association New England Chapter Forum (January 2010).

Panel and remarks, Organization for Economic Cooperation & Development (OECD) Conference on Foreign Bribery: Who Pays the Price? Paris, France (December 2009).

Keynote, Georgetown Law School and Stanford Law School Conference on Role of Courts in Patent Law and Policy, Washington, DC (October 23, 2009).

Keynote, "Business And Law in The Obama Administration," American Bar Association Section on Business Law Annual Meeting, Chicago IL (August, 2009). Discussant, "Scenarios for A National Broadband Policy," Aspen Institute, Aspen CO (August, 2009; report published February 2010).

Various presentations at communications industry conferences, 1989 - 2009.

Panelist, Review of the 2008 Election And Its Impact on Telecommunications, Boston University College of Communications and Federal Communications Bar Association New England (November 2008).

Colloquium Presentation, Economic Warfare on the Internet: The Case of the 2004 Presidential Election, Ecole de Guerre Economique, Paris, France (April 2007, in French).

Guest Lecturer, Telecommunications Regulation in the United States, Masters in Telecommunications Law Program, Universidad Pontificia de Las Comillas de Madrid/ ICADE, Madrid, Spain (May 1999).

Program Chair, The 1996 Telecommunications Act: A Guide to The Changing Landscape, Conference presented by Massachusetts Telecommunications Council and Mintz Levin Cohn Ferris Glovsky & Popeo, P.C. (January 1999).

Conference Presentation, Sources & Impact of Lead: An Update of Environmental Factors, Lead Tech Conference presented by IAQ Publications, Inc., Baltimore, MD (October 1998).

Conference Presentation, Lead and the Law Conference presented by IAQ Publications, Baltimore, MD (May 1998).

Conference Presentation, Mealey's Publications National Lead Litigation Conference, Philadelphia, PA (April 1998).

Chair, Mealey's *Daubert* & Expert Admissibility Conference, Philadelphia, PA (October 1997).

Program Faculty, New Opportunities in The Changing Communications Industry, Suffolk University Law School Advanced Legal Studies Program (April 1997).

Co-chair, Mealey's Publications National Lead Litigation Conference, Philadelphia, PA (May 1996).

Co-chair, Mealey's Publications National Lead Litigation Conference, Philadelphia, PA (May 1995).

Panelist, Coping with the Cable Television Consumer Protection and Competition Act of 1992, New England Cable Television Association (January 1993).

Lecturer, Discovery and Investigation of Sources of Exposure and Causes of Injuries, Mealey's Publications National Lead Litigation Conference, Philadelphia, PA (May 1992).

Panelist, How to Try a Lead Poisoning Case, Massachusetts Continuing Legal Education Program (February & March 1992).

PROFESSIONAL AWARDS AND HONORS

Named by The National Law Journal as a "Cybersecurity and Data Privacy Trailblazer" (November 2017).

2016 Distinguished Legal Writing Award, The Burton Foundation for Legal Achievement (April 2016).

Honored by Federal Circuit Bar Association for “Public Service Legal Excellence” (June 2011).

Cited by the National Press Photographers Association in 1990 for “outstanding support in promoting and protecting the First Amendment freedoms for working photojournalists with legal action in America’s courtrooms.”

Member, Council on Foreign Relations. Lifetime Fellow, American Bar Foundation. Listed in “Who’s Who in America” since 1994.

OTHER ACTIVITIES

Board of Directors, National Archives Foundation, 2017-present; Council of Champions, Citizen Schools, 2006-2009, member; Vice-Chair, National Jewish Democratic Council, 2005-2009; Chair, Boston College Law School Class of 1978 25th Reunion, 2002-04; New England Nordic Skiing Association, 1999-2009, board member; Writing Coach, Citizen Schools 8th Grade Academy, 2001-03; Boston Police Foundation, 1995-2000, board member and Clerk; Brookline Soccer Club and Brookline Youth Soccer, 1993-2002, coach; Brookline Democratic Town Committee; competitor active in endurance sports (Gold Medalist, 2001 National Master’s Cross-Country Ski Championship, Men’s Relay, Age 50-55, and age-group podium placings in local and regional running and cross-country skiing races).

POLITICAL BACKGROUND

Co-Chair, Subcommittee on Privacy, Cybersecurity and Intellectual Property, Biden for President Innovation Policy Committee, 2020.

Member, Michigan Dems Voter Protection Team, Wayne County Boiler Room, 2020.

Member, Biden for President National Finance Committee, 2020.

Member, Hillary for America National Finance Committee, 2015-16.

Member, Organizing for New Hampshire Voter Protection Team, 2012.

Member, Obama for America National Finance Committee and New England Steering Committee; Chair, New England Jewish Community

Leadership Committee; and Senior Adviser to Ohio Campaign for Change Voter Protection Team. 2008.

Member, Civic Engagement Working Group, Deval Patrick - Tim Murray Transition Committee. November 2006 - January 2007. Conducted public meetings and developed policy proposals to expand citizen participation in state government and engagement in Massachusetts communities.

Co-Chair, Massachusetts Victory '06. March - November 2006. Led successful joint campaign on behalf of Democratic ticket leading to election of Deval L. Patrick as Governor of Massachusetts.

Prospective Candidate for Secretary of The Commonwealth of Massachusetts. 2005. Assembled campaign for putatively open seat and terminated candidacy when incumbent chose to run for reelection.

Senior Advisor, John Kerry for President. 2002-2004. Diverse roles as member of campaign leadership, traveling surrogate, and fundraiser.

Senior Advisor, John Kerry for U.S. Senate, Boston, Massachusetts. 1984, 1990, 1996 and 2002 campaigns.

Campaign Manager, John Kerry for Lieutenant Governor, Boston, Massachusetts. January 1982 - November 1982.

Self-Employed Political Consultant, Cambridge, Massachusetts. January - October 1975. Consulted on communications and fundraising for local political campaigns and organizations.

Campaign Director, Paul Guzzi for Secretary of State, Newton, Massachusetts. November 1973 - November 1974.

Strategy Director, John Kerry for Congress, Lowell, Massachusetts. April - November 1972.

Field Director and Communications Director, Chester Atkins for State Representative, Concord, Massachusetts. July - November 1970.

Regional Coordinator, Joseph Bradley for Congress, Newton, Massachusetts. July - September 1968.

Full-Time Volunteer and Office Manager, The Vietnam Summer Project, Cambridge, Massachusetts. June - September 1967. Local community organizing project on Vietnam War canvassing, local referendum signature drive.